

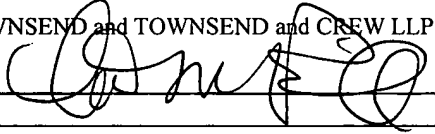
Receipt  
FILE COPY

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on

May 16, 2000

TOWNSEND and TOWNSEND and CREW LLP

By



PATENT  
Attorney Docket No. 17634-000330US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Brian R. Murphy et al.

Application No.: 09/458,813

Filed: December 10, 1999

For: USE OF RECOMBINANT LIVE-  
ATTENUATED PARAINFLUENZA  
VIRUS (PIV) AS A VECTOR TO  
PROTECT AGAINST DISEASE  
CAUSED BY PIV AND  
RESPIRATORY SYNCYTIAL VIRUS  
(RSV)

Examiner: Not Assigned

Art Unit: 1642

**REQUEST FOR CORRECTED  
FILING RECEIPT**

RECEIVED  
JUL-9 2000  
TC 1600 MAIL ROOM

Assistant Commissioner for Patents  
Washington, D.C. 20231

ATTN: Customer Correction Branch  
Application Processing Division

Sir:

Attached is a copy of the official Filing Receipt received from the Patent and Trademark Office in the above-noted application for which issuance of a corrected filing receipt is respectfully requested.

There is an error in the "Continuing Data as Claimed by Applicant" information. It should read as follows:

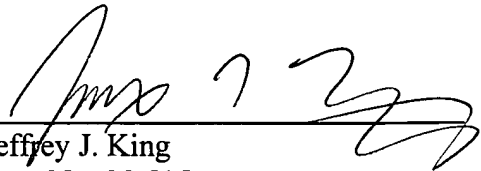
THIS APPLICATION IS A CIP OF 09/083,793 05/22/1998  
WHICH IS A CIP OF 60/047,575 05/23/1997 ABN  
AND OF 60/059,385 09/19/97 ABN



The corrections are not due to any error by applicants and no fee is believed to be due.

Respectfully submitted,

Dated: May 15<sup>th</sup>, 2000

  
\_\_\_\_\_  
Jeffrey J. King  
Reg. No. 38,515

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834  
Phone (206) 467-9600  
Fax (415) 576-0300  
JJK/lmp

**FILE COPY**

Bib Data Sheet

**UNITED STATES DEPARTMENT OF  
COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

<b>SERIAL NUMBER</b> 09/458,813	<b>FILING DATE</b> 12/10/1999 <b>RULE</b>	<b>CLASS</b> 424	<b>GROUP ART UNIT</b> 1642 <i>SB</i>	<b>ATTORNEY DOCKET NO.</b> 17634-000330US	
<b>APPLICANTS</b> Brian R. Murphy, Bethesda, MD ; Peter L. Collins, Rockville, MD ; Anna P. Durbin, Germantown, MD ; Mario H. Skiadopoulos, Potomac, MD ; Tao Tao, Bethesda, MD ;					
<b>** CONTINUING DATA *****</b> THIS APPLICATION IS A CIP OF 09/083,793 05/22/1998 WHICH CLAIMS BENEFIT OF 60/047,575 05/23/1997 WHICH CLAIMS BENEFIT OF 60/059,385 09/19/1997 <i>SB okay</i>					
<b>** FOREIGN APPLICATIONS *****</b> <i>SB none</i>					
<b>IF REQUIRED, FOREIGN FILING LICENSE</b> <b>GRANTED ** 03/16/2000</b>					
Foreign Priority claimed <input type="checkbox"/> yes <input checked="" type="checkbox"/> no 35 USC 119 (a-d) conditions <input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> Met after met <i>SB Allowance</i> Verified and Acknowledged <i>SB</i>		<b>STATE OR COUNTRY</b> MD	<b>SHEETS DRAWING</b> 12	<b>TOTAL CLAIMS</b> 50	<b>INDEPENDENT CLAIMS</b> 6
<b>ADDRESS</b> 20350					
<b>TITLE</b> Use of recombinant live-attenuated parainfluenza virus (PIV) as a vector to protect against disease caused by PIV and respiratory syncytial virus (RSV)					
<b>FILING FEE RECEIVED</b> 1664	<b>FEES: Authority has been given in Paper</b> No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees ( Filing ) <input type="checkbox"/> 1.17 Fees ( Processing Ext. of time ) <input type="checkbox"/> 1.18 Fees ( Issue ) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		

17634-000330

## FILING RECEIPT



\*OC000000004995372\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: ASSISTANT SECRETARY AND  
COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

J King

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/458,813	12/10/1999	1642	1534	17634-000330US	12	50	6

Steven W Parmelee  
Townsend and Townsend and Crew LLP  
Two Embarcadero Center  
8th Floor  
San Francisco, CA 94111-3834



Date Mailed: 03/16/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Brian R. Murphy, Bethesda, MD ;  
Peter L. Collins, Rockville, MD ;  
Anna P. Durbin, Germantown, MD ;  
Mario H. Skiadopoulos, Potomac, MD ;  
Tao Tao, Bethesda, MD ;

## Continuing Data as Claimed by Applicant

THIS APPLICATION IS A CIP OF 09/083,793 05/22/1998  
WHICH IS A PRO OF 60/047,575 05/23/1997

CIP

ABN

## Foreign Applications

AND OF 60/059,385 09/19/1997 ABN

If Required, Foreign Filing License Granted 03/16/2000

## Title

Use of recombinant live-attenuated parainfluenza virus (PIV) as a vector to protect against disease caused by PIV and respiratory syncytial virus (RSV)

## Preliminary Class

424

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on

May 16, 2000

TOWNSEND and TOWNSEND and CREW LLP

By: [Signature]

OBCO  
3

PATENT

Attorney Docket No.: 17634-000330US

Client Reference No.: E-089-97/5



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Brian R. Murphy et al.

Application No.: 09/458,813

Filed: December 10, 1999

For: USE OF RECOMBINANT LIVE-  
ATTENUATED PARAINFLUENZA  
VIRUS (PIV) AS A VECTOR TO  
PROTECT AGAINST DISEASE  
CAUSED BY PIV AND RESPIRATORY  
SYNCYTIAL VIRUS (RSV)

Examiner: Unassigned

Art Unit: Unassigned

**TRANSMITTAL LETTER – RESPONSE  
TO NOTICE OF MISSING PARTS**

Attn: Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Application - Filing Date

Granted, dated March 16, 2000, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration and Power of Attorney
- 2) Request Under 37 CFR 1.821(e)
- 3) Copy of Notice of Missing Parts

Please charge Deposit Account No. 20-1430 for the following fees:

(a) Missing Parts Surcharge \$130.00

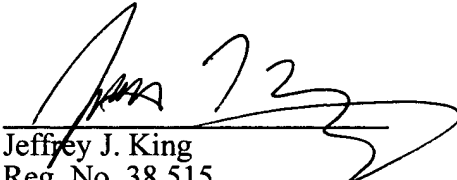
**TOTAL FEES TO BE CHARGED**

**\$130.00**

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,

Dated: May 16, 2000

  
Jeffrey J. King  
Reg. No. 38,515

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: (206) 467-9600  
Fax: (415) 576-0300  
JJK:imp

SE 5003440 v1

17634-000330  
JUKING

## FORMALITIES LETTER



\*OC000000004995373\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/458,813	12/10/1999	Brian R. Murphy	17634-000330US

Steven W Parmelee  
Townsend and Townsend and Crew LLP  
Two Embarcadero Center  
8th Floor  
San Francisco, CA 94111-3834



*Parts Due: May 16, 2000* *R.* Date Mailed: 03/16/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."

For questions regarding compliance to these requirements, please contact:

- 4216 R. Wicks*
- For Rules Interpretation, call (703) 308-~~1423~~
  - For CRF Submission Help, call (703) 308-4212
  - PatentIn Software Program Support
  - - For Technical Assistance, call (703) 287-0200
  - - To Purchase PatentIn Software, call (703) 306-2600

- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

*Maxwell T-6*

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